



**AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION**

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May 26, 2007

The Honorable Jon W. Dudas  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Comments on “Changes to Representation of Others  
Before the United States Patent and Trademark Office”  
72 Federal Register 9196 (February 28, 2007)

Dear Under Secretary Dudas:

The American Intellectual Property Law Association (AIPLA) appreciates the opportunity to offer comments regarding the rules proposed by the U.S. Patent and Trademark Office (PTO) regarding “Changes to the Representation of Others Before the United States Patent and Trademark Office.”

AIPLA is a national bar association whose more than 16,000 members are primarily lawyers in private and corporate practice, in government service, and in the academic community. AIPLA represents a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent, trademark, copyright, and unfair competition law, as well as other fields of law affecting intellectual property. Our members represent both patent owners and users of intellectual property.

## **Introduction**

We appreciate and note the PTO's acceptance of changes and comments proposed by AIPLA and others in response to the initial publication of these proposed new rules. Many of AIPLA's concerns have been addressed, but some remain.

The Notice refers to the earlier Notice of Proposed Rule Making (NPRM) of December 2003, to which the AIPLA made extensive comments. This supplemental notice states that in light of the comments on the earlier NPRM, “the Office has decided to revise several of the rules as then proposed and request additional comments on those revised proposals. Other proposed Rules contained in the earlier Notice of Proposed Rule Making remain under consideration by the Office. This supplemental notice of proposed rule making sets forth revisions that the Office is proposing to the rules governing the conduct of investigations and disciplinary proceedings.” Some of the rules proposed in the 2003 notice were promulgated in a “Final Rule” published in the Federal Register on June 24, 2004, and made effective July 26, 2004. In some cases, it













